

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

GOOGLE INC., AOL LLC, YAHOO! INC., IAC
SEARCH & MEDIA, INC., and LYCOS, INC.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

L. DANIEL EGGER, SOFTWARE RIGHTS
ARCHIVE, LLC, and SITE TECHNOLOGIES,
INC.

C08 03172

TO: (Name and address of defendant)

SOFTWARE RIGHTS ARCHIVE, LLC, 485 Madison Avenue, New York, NY 10022

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Juanita Brooks
Jason W. Wolff
FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, CA 92130

Lee L. H.
8/19/08

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

JUL 01 2008

DATE _____

Tiffany Salinas-Harwell
(BY) DEPUTY CLERK

Tiffany Salinas-Harwell

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹ August 19, 2008 ^{DATE} @ 1:55 p.m.

Name of SERVER

Pat Herman

TITLE

Process Server

Check one box below to indicate appropriate method of service



Served Personally upon the Defendant. Place where served:



Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:



Returned unexecuted:



Other (specify): Delivered to Software Rights Archive, LLC by delivering to Lee L. Kaplan, Attorney @ 700 Louisiana, Suite 2300, Houston, Texas 77002

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

August 19, 2008

Date

Pat Herman

Signature of Server

3801 Kirby Drive, Suite 313
Houston, Texas 77002

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Juanita R. Brooks (SBN 75934, brooks@fr.com)
Jason W. Wolff (SBN 215819, wolff@fr.com)

FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

Jerry T. Yen (SBN 247988, yen@fr.com)
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

Attorneys for Plaintiffs
GOOGLE INC. and AOL LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GOOGLE INC., AOL LLC, YAHOO! INC., IAC
SEARCH & MEDIA, INC., and LYCOS, INC.,

Plaintiffs,

v.

L. DANIEL EGGER, SOFTWARE RIGHTS
ARCHIVE, LLC, and SITE TECHNOLOGIES,
INC.,

Defendants.

Case No. CV 08-03172 RMW (RS)

**CERTIFICATE OF SERVICE OF
SUMMONS, COMPLAINT AND OTHER
PLEADINGS ON DEFENDANT
SOFTWARE RIGHTS ARCHIVE, LLC**

Honorable Ronald M. Whyte
Courtroom 6, 4th Floor

I am employed in the Harris County of Texas. I am over the age of 18 and not a party to the foregoing action.

I am a process server and on August 19th, 2008, I personally served a copy of the following documents:

1. COMPLAINT FOR DECLARATORY RELIEF AND EXHIBITS A-G;
2. CIVIL COVER SHEET;
3. SUMMONS TO SOFTWARE RIGHTS ARCHIVE, LLC;

4. AO120 REPORT ON FILING OF ACTION RE PATENT;
5. IAC CERTIFICATE OF INTERESTED ENTITIES;
6. LYCOS CERTIFICATE OF INTERESTED ENTITIES;
7. YAHOO CERTIFICATE OF INTERESTED ENTITIES;
8. AOL CERTIFICATE OF INTERESTED ENTITIES;
9. GOOGLE CERTIFICATE OF INTERESTED ENTITIES;
10. IAC-LYCOS DECLINE TO PROCEED BEFORE MAG JDG AND REQUEST REASSIGNMENT TO US DISTRICT JUDGE;
11. ORDER SETTING INITIAL CMC AND ADR DEADLINES;
12. STANDING ORDER FOR ALL JUDGES OF NDCA RE JOINT CASE MANAGEMENT STATEMENT;
13. USDC-ND OF CA CONSENTING TO A MAG JDG IN NDCA;
14. USDC-ND OF CA PUBLIC NOTICE RE MAG JUDGE SEEBORG EXPIRATION OF CURRENT TERM;
15. USDC-ND OF CA SFO GUIDELINES;
16. ORDER DIRECTING PLAINTIFFS IAC AND LYCOS TO FILE CONSENT-DECLINE FORM RE MAG JDG;
17. NOTICE OF IMPENDING REASSIGNMENT TO USDC JUDGE – HEARING DATES VACATED;
18. ORDER REASSIGNING CASE TO DISTRICT COURT JUDGE WHYTE AND MAG JDG SEEBORG;
19. STANDING ORDER RE CASE MANAGEMENT IN CIVIL CASES FOR JUDGES WHYTE AND SEEBORG – UNISSUED; and
20. STANDING ORDER RE: PRETRIAL PREPARATION.

upon Lee L. Kaplan, who I understand is authorized to accept service of process on behalf of Defendant SOFTWARE RIGHTS ARCHIVE, LLC, at the following address:

Lee L. Kaplan
 Smyser Kaplan & Veselka, L.L.P.
 Bank of America Center
 700 Louisiana, Suite 2300
 Houston, TX 77002
Attorneys for Defendant SOFTWARE RIGHTS ARCHIVE, LLC

1 My name and business address is: Pat Herman
2 Duces Tecum, Inc.
3 3801 Kirby Drive, Suite 313
4 Houston, Texas 77098

5 I declare under penalty of perjury that the above is true and correct.

6
7 Dated: August 19, 2008

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9 [Signature of Process Server]

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